

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Clean Water Act as amended (33 U.S.C. §§1251 et seq.; the “CWA”), and the Massachusetts Clean Waters Act, as amended, (M.G/L. Chap. 21, §§ 26-53),

**Seaman Paper Company of Massachusetts, Inc.
P.O. Box 21
Baldwinville, MA 01436**

is authorized to discharge from the facility located at

**Seaman Paper Company of Massachusetts, Inc.
51 Main Street
Otter River, MA 01436**

to the receiving water named

**Otter River
(Millers River Watershed MA 35)**

in accordance with the effluent limitations, monitoring requirements, and other conditions set forth herein.

This permit shall become effective (60) sixty days from the date of issuance.

This permit and the authorization to discharge expire at midnight, September 30, 2007.

This permit supersedes the permit issued on September 30, 1998.

This permit consists of 9 pages in Part I including effluent limitations, monitoring requirements, Attachment A, and 35 pages in Part II including General Conditions and Definitions.

Signed this 15th day of October, 2004

/s/ SIGNATURE ON FILE

Linda M. Murphy, Director
Office of Ecosystem Protection
Environmental Protection Agency
Boston, MA

Division of Watershed Management
Department of Environmental Protection
Commonwealth of Massachusetts
Boston, MA

PART I

- A.1.** During the period beginning the effective date and lasting through expiration, the permittee is authorized to discharge treated process wastewater from **outfall serial number 001** to the Otter River. Such discharges shall be limited and monitored as specified below.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
Parameter	Average Monthly	Maximum Daily	Measurement Frequency	Sample Type ¹
Flow ²	1.1 MGD	1.4 MGD	Continuous	Meter
BOD (May 1 to October 31) ³	150 lbs/day	200 lbs/day	2/week	24-Hr Composite ⁴
BOD (May 1 to October 31)	286 lbs/day	400 lbs/day	2/week	24-Hr Composite ⁴
BOD (November 1 to April 30)	400 lbs/day	700 lbs/day	2/week	24-Hr Composite ⁴
TSS (May 1 to October 31) ³	150 lbs/day	200 lbs/day	2/week	24-Hr Composite ⁴
TSS (May 1 to October 31)	400 lbs/day	600 lbs/day	2/week	24-Hr Composite ⁴
TSS (November 1 to April 30)	700 lbs/day	900 lbs/day	2/week	24-Hr Composite ⁴
River Flow (May 1 to October 31)	See I.A.1.f		1/day	Monitor

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
Parameter	Average Monthly	Maximum Daily	Measurement Frequency	Sample Type ¹
pH Range ⁵	See I.A.1.b		1/day	Grab
Phosphorus (April 1 to October 31)	0.2 mg/l	*****	2/week	24-Hr Composite ⁴
Total Aluminum	0.38 mg/l	3.3 mg/l	1/Quarter	24-Hr Composite ⁴
Effluent Dissolved Oxygen June 1 st through September 30 th	*****	Report mg/l	1/Week	Grab
Whole Effluent Toxicity (See Footnotes 6 & 7)	LC ₅₀ ≥ 100 % C-NOEC ≥ 23 %		1/Quarter	24-hour Composite
Temperature (discharge)	Report °F	90 °F	2/week	Grab
Temperature (upstream) May 1 to October 31 ⁸	Report °F	Report °F	2/month	Grab

Footnotes:

1. The effluent samples for outfall 001 shall be collected from the channel that receives effluent from the secondary clarifier. Any changes in sampling location must be approved in writing by EPA and MADEP. All samples shall be tested in accordance with the procedures in 40 CFR 136, unless specified elsewhere in the permit.
2. The permittee shall report the average monthly flow for each sampling period.
3. During the period of May through October, more stringent effluent limits will apply when the total daily flow in the receiving water, as measured at the USGS Gage Station No. 01163200, is less than 17 cfs for 30 consecutive days. When the 30th consecutive day is reached, and until the total daily flow for a day exceeds 17 cfs, the permittee shall achieve 30 day average limits of 150 lbs/Day for both BOD₅ and TSS. The permittee shall also achieve maximum daily limits of 200 lbs/day for both BOD₅ and for TSS for each day within the 30 consecutive day period .

For example, if on June 15th the total daily receiving water flow fell below 17 cfs and remained under 17 cfs through July 15th, the permittee must achieve the 30 day average limits for BOD₅ and TSS on July 15, using all effluent data collected during the 30 day period. The applicable maximum daily limit for all days from June 15 through July 15 would be 200 lbs/day for both BOD₅ and TSS. As long as the daily receiving water flow remained under 17 cfs, the permittee would be subject to the more stringent limits; the 30 day average for subsequent days would be calculated using effluent sampling results from that day and the previous 29 days.

4. A 24-hour composite will consist of twenty-four (24) grab samples taken during a twenty-four hour period (i.e., 0700 Monday to 0700 Tuesday).
5. Required for state certification.
6. The permittee shall conduct an chronic and modified acute whole effluent toxicity test four times per year. The permittee shall test the daphnid, Ceriodaphnia dubia, only. Toxicity test samples shall be collected during the second week of the months of January, April, July, and October. The test results shall be submitted by the last day of the month following the completion of the test. The results are due February 28, May 31, August 31, and November 30, respectively. The tests must be performed in accordance with test procedures and protocols specified in **Attachment A** of the permit.

Test Dates Second Week in	Submit Results By:	Test Species	Acute Limit LC ₅₀	Chronic Limit C-NOEC
January April July October	February 28 May 31 August 31 November 30	<u>Ceriodaphnia dubia</u> (Daphnid) See Attachment A)	≥ 100%	≥ 23 %

After submitting one year and a minimum of four consecutive sets of WET test results, all of which demonstrate compliance with the WET permit limits, the permittee may request a reduction in the WET testing requirements. The permittee is required to continue testing at the frequency specified in the permit until notice is received by certified mail from EPA that the WET testing requirement has been changed.

7. If toxicity test(s) using receiving water as diluent show the receiving water to be toxic or unreliable, the permittee shall follow procedures outlined in **Attachment A**, Section IV, "Dilution Water," in order to obtain permission to use an alternate dilution water. In lieu of individual approvals for alternate dilution water required in **Attachment A**, EPA-New England has developed a Self-Implementing Alternative Dilution Water Guidance document (called "Guidance") which may be used to obtain automatic approval of an alternate dilution water, including appropriate species for use with that water. If this Guidance Document is revoked, the permittee shall revert to obtaining approval as outlined in **Attachment A**. The Guidance is included in Attachment G of the NPDES Permit Program Instruction for the Discharge Monitoring Report Forms (DMRs), available at <http://www.epa.gov/region01/compliance/enfdmr.html>, and is not intended as a direct attachment to this permit. Any modification or revocation to the Guidance will be transmitted to the permittees as part of the annual DMR instruction package. However, at any time, the permittee may chose to contact EPA-New England directly using the approach outlined in **Attachment A**.
8. Temperature sampling shall be conducted twice per month upstream of the discharge for the period of May - October of each year. After one year of temperature data collection, the permittee may petition both the EPA and DEP for a reduction in the temperature monitoring requirements. The permittee is required to continue the seasonal monitoring until notified in writing by EPA that the monitoring requirements have been reduced. The permit may be reopened to include additional temperature limits if the monitoring indicates that the effluent is causing or contributing to an exceedance of water quality standards.

Part I.A.1. (Continued)

- a. The discharge shall not cause a violation of the water quality standards of the receiving waters.
- b. The pH of the effluent shall not be less than 6.0 nor greater than 8.3 at any time, unless these values are exceeded as a result of an approved treatment process. Report the minium and maximum values.
- c. The discharge shall not cause objectionable discoloration of the receiving waters.
- d. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time in other than trace amounts.
- e. The results of sampling for any parameter above its required frequency must also

be reported.

- f. From May 1 to October 31, the permittee shall obtain daily flow readings from the USGS Gage No. 01163200, located at Turner Street in Otter River. The daily flow data and each individual BOD₅ and TSS analysis in lbs/day shall be reported on a separate page submitted with the monthly discharge monitoring report (DMR). The monthly report shall include an summation of compliance with the BOD₅ and TSS limits for the previous 60 days.
- g. The permittee shall not use fungicides or slimicides containing trichlorophenol or pentachlorophenol .

2. Toxics Control

- a. The permittee shall not discharge any pollutant or combination of pollutants in toxic amounts.
- b. Any toxic components of the effluent shall not result in any demonstrable harm to aquatic life or violate any state or federal water quality standard which has been or may be promulgated. Upon promulgation of any such standard, this permit may be revised or amended in accordance with such standards.

3. Numerical Effluent Limitations for Toxicants

EPA or DEP may use the results of chemical analyses conducted pursuant to this permit, as well as national water quality criteria developed pursuant to Section 304(a)(1) of the Clean Water Act (CWA), state water quality criteria, and any other appropriate information or data, to develop numerical effluent limitations for any pollutants, including but not limited to those pollutants listed in Appendix D of 40 CFR Part 122.

- 4. All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels;”
 - (a) One hundred micrograms per liter (100 ug/l);
 - (b) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (c) Five (5) times the maximum concentration value reported for the pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (d) Any other notification level established by the Director in accordance with 40 CFR 122.44(f).
- b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, or an toxic pollutant with is not limited in the permit, if that discharge will exceed the highest of the following “notification levels;”
 - (a) Five hundred micrograms per liter (500 ug/l);
 - (b) One milligram per liter (1 mg/l) for antimony;
 - (c) Ten (10) times the maximum concentration value reported for that pollutant reported in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (d) Any other notification level established by the Director in accordance with 40 CFR 122.44(f).
- c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

B. UNAUTHORIZED DISCHARGES

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from outfall 001 listed in Part I.A.1 of this permit. Discharges of wastewater from any other point sources are not authorized by this permit and shall be reported in accordance with Section D.1.e. (1) of the General Requirements of this permit (Twenty-four hour reporting).

C. SPECIAL CONDITIONS AND REQUIREMENTS

This permit may be modified, or revoked and reissued, on the basis of new information in accordance with 40 CFR 122.62.

D. MONITORING AND REPORTING

Monitoring results obtained during each calendar month shall be summarized and reported on Discharge Monitoring Report Forms postmarked no later than the 15th day of the following month following the effective date of the permit.

Signed and dated originals of these, and all other reports required herein, shall be submitted to the Director and the State at the following addresses:

Environmental Protection Agency
Water Technical Unit (SEW)
P.O. Box 8127
Boston, Massachusetts 02114

The State Agency is:

Massachusetts Department of Environmental Protection
Bureau of Waste Prevention
Central Regional Office
627 Main Street
Worcester, MA 01608

Signed and dated Discharge Monitoring Report Forms and toxicity test reports required by this permit shall also be submitted to the State at:

Massachusetts Department of Environmental Protection
Division of Watershed Management
Surface Water Discharge Permit Program
627 Main Street, 2nd Floor
Worcester, Massachusetts 01608

E. STATE PERMIT CONDITIONS

1. This discharge permit is issued jointly by the U. S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MA DEP) under federal and state law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Commissioner of the MA DEP pursuant to M.G.L. Chap. 21, §43.
2. Each agency shall have the independent right to enforce the terms and conditions of this permit. Any modification, suspension or revocation of this permit shall be effective only with respect to the agency taking such action, and shall not affect the validity or status of this permit as issued by the other agency, unless and until each agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this permit is declared, invalid, illegal or otherwise issued in violation of state law such permit shall remain in full force and effect under federal law as an NPDES permit issued by the U.S. Environmental Protection Agency. In the event this permit is declared invalid, illegal or otherwise issued in violation of federal law, this permit shall remain in full force and effect under state law as a permit issued by the Commonwealth of Massachusetts.